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10/801,043	03/15/2004	Yves Leaute	2003P04011 US01	1244

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Siemens Corporation  
Intellectual Property Department  
170 Wood Avenue South  
Iselin, NJ 08830

EXAMINER
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JAKOVAC, RYAN J

ART UNIT	PAPER NUMBER
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2445

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07/30/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/801,043	<b>Applicant(s)</b> LEAUTE ET AL.	
	<b>Examiner</b> RYAN J. JAKOVAC	<b>Art Unit</b> 2445	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 April 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-11, 13, 14, 16-23, 26 and 28-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11, 13, 14, 16-23, 26 and 28-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Priority***

1. The later-filed application must be an application for a patent for an invention which is also disclosed in the prior application (the parent or original nonprovisional application or provisional application). The disclosure of the invention in the parent application and in the later-filed application must be sufficient to comply with the requirements of the first paragraph of 35 U.S.C. 112. See *Transco Products, Inc. v. Performance Contracting, Inc.*, 38 F.3d 551, 32 USPQ2d 1077 (Fed. Cir. 1994).
2. The disclosure of the prior-filed application, Application No. 60/455483, fails to provide adequate support or enablement in the manner provided by the first paragraph of 35 U.S.C. 112 for one or more claims of this application. The Applicant is respectfully requested to specify where Application No. 60/455483 shows support for the currently amended claims submitted 04/14/2009.

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1-11, 13-14, 16-23, 26, 28-30 have been considered but are moot in view of the new ground(s) of rejection.

### **Examiner's Note**

4. The Applicant's invention is directed towards discovering collaborators in a peer-to-peer network. Web services are used between peer-to-peer devices and between service providers (Leaute, abstract.)

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5. The Examiner's cited reference, Traversat, is directed towards providing resources to peer-to-peer devices. The resources give the devices access to web services.
6. The method of the Applicant's invention is accomplished by registering a device with the peer-to-peer network and using web services to request a peer-to-peer server. Search results are then obtained and a collaboration session is initiated (Leaute, pg. 3. "Summary of the Invention").
7. The Examiner's secondary reference, Thaden, provides a system where a client registers with a peer-to-peer network and uses web services to request a peer-to-peer server. Search results are then obtained and a collaboration session is initiated (See Thaden, pg. 1-5 and the detailed explanations below.).
8. The differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
10. Claims 1-11, 13-14, 16-23, 26, 28-30 rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. 2003/0002521 to Traversat et al (hereinafter Traversat) in view of "A

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Semantic Web based Peer-to-Peer Service Registry Network” by Uwe Thaden, Wolf Siverski, and Wolfgang Nejdl (hereinafter Thaden).

Regarding claim 1, Traversat teaches a system for discovering potential devices on a peer-to-peer (P2P) network, comprising:

a seeker device (Traversat, Fig. 13-15 disclose requesting peers (i.e. seeker device) which look for peers on the network.); and

a plurality of end-user devices operatively connected to the P2P network (Traversat, Fig. 1B discloses a plurality of peer devices connected to a P2P network.);

wherein each of the plurality of end-user devices is associated with at least one identity files, each identity file comprising at least one searchable element (Traversat, Paragraph [0297], Peers send peer discovery messages and peer response messages which comprise elements used to provide information and identification. Paragraph [0300]-[0306] identify attributes (i.e. plurality of searchable elements) of the discovery query message. Paragraphs [0310]-[0315] identify attributes of the response message. See also paragraphs [0206]-[0215] describing service advertisements.);

wherein at least one of the plurality of end-user devices post their at least one identity files on the P2P network using a Web service request to a Web Service Provider (Traversat, Abstract, system for providing resources (i.e. services) to network devices (i.e. devices requesting the service). See also, [0015-0019], P2P files delivering services. Paragraph [0297] and Figures 12-17 disclose peers posting their identity to other peers, discovery proxies, and

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rendezvous proxies. Paragraph [0292], The discovery proxy receives discovery messages from other peers. Paragraph [0291], Rendezvous peers cache peer and peer group information.);

Traversat does not expressly disclose wherein the seeker device receives a search form including a plurality of search entry fields from the Web Service Provider. However, Thaden discloses wherein the seeker device receives a search form including a plurality of search entry fields from the Web Service Provider (Thaden, pg. 1-3, web services are provided to the client implemented in a registry search using UDDI and WSDL. Pg. 2, image download service provides searching capabilities.).

wherein the entry fields are provided for entering data and the search form is devoid of entered data when received by the seeker device (Thaden, pg. 2-3, web service provides required inputs for search fields.),

wherein a user of the seeker device manually enters data into at least one of the search fields (Thaden, pg. 1-5, search on peer-to-peer networks.), and

wherein the seeker devices searches the identity files posted on the P2P network for matching the entered data to determine at least one device of the end-user devices for a collaboration session (Thaden, pg. 1-5, image download service implemented in a peer-to-peer architecture.); and

wherein the seeker device initiates the collaboration session with the determined end-user devices (Thaden, pg. 4, querying and exchange of peer-to-peer data.).

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Traversat and Thaden in order to build a distributed

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discovery service and semantic query capabilities in a peer-to-peer infrastructure (Thaden, abstract, pg. 5.).

Regarding claim 2, the combination of Traversat and Thaden teaches the system of claim 1, wherein the seeker device is a seeker end-user device and the plurality of potential devices are a plurality of potential end-user devices (Traversat, Figures 12-17 discloses peers as seeker end-user devices and potential end-user devices.).

Regarding claim 3, the combination of Traversat and Thaden teaches the system of claim 2, wherein the seeker end-user device and each of the plurality of potential end-user devices comprises at least one of a personal digital assistant, a laptop, and a cellular phone (Traversat, Fig. 1B).

Regarding claim 4, the combination of Traversat and Thaden teaches the system of claim 1, wherein the at least one identity files of the plurality of the potential devices is downloaded from the Web service provider in response to the seeker device sending a Web service request to the Web service provider (Thaden, pg. 1-5, semantic query based on discovery service.).

Regarding claim 6, the combination of Traversat and Thaden teaches the system of claim 1, wherein the seeker device is a machine connected to an IP network (Traversat, Paragraph [0069] discloses peers (i.e. seeker devices) connected to an IP network.).

Regarding claim 7, the combination of Traversat and Thaden teaches the system of claim 1, wherein the P2P network comprises at least one of Kazaa, OpenNAP, Gnutella, FastTrack, LimeWire, eMule/Kademlia, and Napster (Traversat, Paragraph [0015] discloses Napster and Gnutella P2P networks. Paragraph [0098] discloses P2P network comprising Napster. See also Thaden, pg. 4-5.).

Regarding claim 8, the combination of Traversat and Thaden teaches the system of claim 1, wherein each identity comprises an extensible markup language (XML) file (Traversat, Paragraph [00274] discloses delivery messages (i.e. identity files) as XML messages.).

Regarding claim 9, the combination of Traversat and Thaden teaches the system of claim 1, wherein the collaboration session is independent of the P2P network (Traversat, Paragraph [0292], The discovery proxy receives discovery messages from other peers. Paragraph [0291], Rendezvous peers cache peer and peer group information.).

Regarding claim 10, 17, 28, The combination of Traversat and Thaden teaches a method for a seeker device discovering potential collaborators on a peer-to peer (P2P) network, comprising:

discovering one or more entry point nodes to the P2P network (Traversat, Fig. 15 discloses a requesting peer discovering another peer.);



registering a seeker device on the P2P network based on the discovered nodes (Traversat, Paragraph [0028], Rendezvous nodes cache bootstrap node's (i.e. seeker device) advertisements.);

downloading a search form to the seeker device, wherein the search form includes a plurality of search fields for identifying the potential collaborators manually entering data into at least one of the search fields by a user of the seeker device (Thaden, pg. 1-3, web services are provided to the client implemented in a registry search using UDDI and WSDL. See pg. 1, web service registration and discovery. Pg. 2, image download service provides searching capabilities.);

performing a search by the seeker device on the P2P network to determine identifying files that include the manually entered data (Thaden, pg. 1-5, semantic query based on discovery service. See pg. 4, query and exchange of peer-to-peer data.);

determining collaborators for a collaboration session from the potential collaborators on the P2P network that correspond to the identity files (Thaden, pg. 3, peer-to-peer registry network. Pg. 4, peer-to-peer infrastructure for storing, querying, and exchanging data.); and

initiating at the collaboration session between the determined collaborators (Thaden, pg. 1-5.).

Regarding claim 11, the combination of Traversat and Thaden teaches the method of claim 10, further comprising performing identity provisioning (Traversat, Fig. 15-17, Peers perform self provisioning by acting as senders and receivers of discovery query messages and

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discovery response messages. Paragraph [0291], Rendezvous proxy is used by other peers to discover each other. The rendezvous proxy may itself be a peer (i.e. self provisioning.).

Regarding claim 13, the combination of Traversat and Thaden teaches the method of claim 10, further comprising obtaining service and identity availability for a result of the search results (Traversat, Paragraph [0274], XML messages comprising discovery requests and responses.).

Regarding claim 14, the combination of Traversat and Thaden teaches the method of claim 10, further comprising narrowing the search by searching only the identity files whose filenames include data for at least one of the search fields (Thaden, pg. 4-5, ontological search.).

Regarding claim 16, the combination of Traversat and Thaden teaches the method of claim 10, wherein discovering one or more entry point nodes to the P2P network comprises:

querying a Web service running on a Web service cluster (Thaden, pg. 1-3, peer-to-peer registry network.);

receiving an identity form from a Web service provider in response to a Web service request (Thaden, pg. 1-5, image download service and search.),

the identity form comprises a plurality of information fields (Thaden, pg. 1-5, image download service has required input fields for searching.);

populating one or more of the plurality of information fields; and posting the identity form on the P2P network (Thaden, pg. 2-5, peer-to-peer query.).

Regarding claim 18, the combination of Traversat and Thaden teaches the method of claim 17, wherein registering with a P2P network comprises registering automatically with the P2P network when the seeker device connects to an IP network (Traversat, Paragraph [0099] , automatic discovery.).

Regarding claim 19, the combination of Traversat and Thaden teaches the method of claim 17, wherein initiating a Web service to a Web service provider comprises initiating a Web service to a Web service provider using HTTP/XML/SOAP protocols (Thaden, pg. 2, web service called using WSDL and SOAP. Pg. 5, service clients access discovered services via SOAP.).

Regarding claim 21, the combination of Traversat and Thaden teaches the method of claim 17, wherein requesting an available P2P server on the P2P network from the Web service provider using the Web service comprises sending a Web service request using a Web service to the Web service provider, the Web service request requesting a list of available P2P servers (Thaden, pg. 1-4, UDDI service registries, web service registration, peer-to-peer registry network. See also Traversat, Fig. 13-17 disclose sending discovery messages (i.e. requesting a list of available P2P servers). The peers may be service providers. See paragraphs [0206]-[0215].).

Regarding claim 22, the combination of Traversat and Thaden teaches the method of claim 21, wherein sending a Web service request using a Web service to the Web service provider comprises sending a Web service request defined in a WSDL service descriptor file using a Web service to the Web service provider (Thaden, pg. 2, web service called using WSDL and SOAP. Pg. 5, service clients access discovered services via SOAP.).

Regarding claim 23, the combination of Traversat and Thaden teaches the method of claim 17, further comprising performing identity self-provisioning on the P2P network by: receiving an identity form from the Web service provider in response to a Web service request (Traversat, Figures 15-17 disclose receiving a response message (i.e. identity form).), the identity form comprises a plurality of information fields (Traversat, Paragraphs [0310]-[0315] identify attributes of the response message. See also paragraphs [0206]-[0215] describing the attributes of service advertisements); populating one or more of the plurality of information fields; and posting the identity form on the P2P network (Traversat, Paragraph [0028], Rendezvous nodes cache advertisements (i.e. identity forms) for other nodes.).

Regarding claim 26, the combination of Traversat and Thaden teaches the method of claim 17, wherein the collaboration session is independent of the P2P network (Traversat, Paragraph [0292], The discovery proxy receives discovery messages from other peers. Paragraph [0291], Rendezvous peers cache peer and peer group information. Paragraph [0026], Peers discover each other on the P2P network and communicate (i.e. initiate a collaboration session)

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with each other. Paragraph [0098], Peers communicate irrespective of P2P network. See also [0022].).

Regarding claim 29, the combination of Traversat and Thaden teaches the method of claim 10, wherein each identity file is stored as one of an XML file on a P2P shared directory on a potential collaborator or on a distributed Hash Table on the P2P network (Traversat, [0169-0179], identity files are stored on peer nodes (i.e. shared directory). Peer nodes store and share identity files which are represented in XML.).

Regarding claim 5, the combination of Traversat and Thaden teaches the system of claim 1, wherein the seeker end-user device logs on a Web service provider to gain access to the P2P network using Web services and simple-object access protocols (SOAP) over hypertext transfer protocol (HTTP) and internet protocol (IP) networks (Thaden, pg. 1-2, web service called using WSDL and SOAP. Pg. 5, service clients access discovered services via SOAP.).

Regarding claim 20, the combination of Traversat and Thaden teaches the method of claim 17, further comprising discovering the Web service provider using a UDDI Web service registry and business entities (Thaden, pg. 1-3, web services are provided to the client implemented in a registry search using UDDI and WSDL. Pg. 2, image download service provides searching capabilities. Pg. 1-2, web service called using WSDL and SOAP. Pg. 5, service clients access discovered services via SOAP.).

Regarding claim 30, the combination of Traversat and Thaden teaches a system that forms a collaboration session among devices on a peer-to peer (P2P) network (Traversat, fig. 13-15.), the system comprising:

a service provider that is configured to provide a plurality of Web service descriptor files (WSDLs), wherein each WSDL corresponds to a search type (Thaden, pg. 1, web service registry and discovery. pg. 1-2, UDDI registries and WSDL service descriptions.);

a querying device that is connected to the service provider and configured to request a WSDL from the service provider corresponding to one of the search types, wherein the user device includes a simple-object access protocol (SOAP) client and a SOAP server (Thaden, pg. 1-2, web service called using WSDL and SOAP. Pg. 3-5, service clients access discovered services via SOAP. Peer devices query and collaborate to serve or download data.); and

a plurality of queried devices connected to the querying device via a peer to peer (P2P) network, each of the queried devices including a simple-object access protocol (SOAP) client and a SOAP server (Thaden, pg. 1-2, web service called using WSDL and SOAP. Pg. 3-5, service clients access discovered services via SOAP. Peer devices query and collaborate to serve or download data on a peer-to-peer network.)

wherein the SOAP client of the querying device is configured to initiate a search process by transmitting a query over the P2P network, wherein the query is based on a WSDL file received from the service provider that corresponds to the requested search type (Thaden, pg. 1-5, semantic based peer to peer querying.),

wherein the SOAP server of each of the queried devices is configured to receive the query and the SOAP client of each of the queried devices is configured to send a response to the

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query over the P2P network (Thaden, pg. 1-5, semantic based peer to peer querying. Image search service returns search results for parameterized search input.),

wherein the SOAP server of the querying device is configured to receive the response over the P2P network (Thaden, pg. 1-5, semantic based peer to peer querying.), and

wherein the querying device sets up a collaboration session among at least one of the queried devices based on the received responses (Thaden, pg. 1-5, query and exchange of data between devices of a peer-to-peer network.).

### ***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. NPL: "Search in JXTA and Other Distributed Networks".

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RYAN J. JAKOVAC whose telephone number is (571)270-5003. The examiner can normally be reached on Monday through Friday, 7:30 am to 5:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on 571-272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Ryan Jakovac/

/VIVEK SRIVASTAVA/

Supervisory Patent Examiner, Art Unit 2445